



Department of Defense

DIRECTIVE

December 15, 1989

NUMBER 5145.4

DA&M

SUBJECT: Defense Legal Services Agency

References: (a) DoD Directive 5145.4, subject as above, August 12, 1981
(hereby canceled)
(b) Title 10, United States Code
(c) DoD Directive 7750.5, "Management and Control of Information Requirements, " August 7, 1986

A. REISSUANCE AND PURPOSE

This Directive:

1. Reissues reference (a).
2. Pursuant to the authority vested in" the Secretary of Defense under reference (b), updates the Defense Legal Services Agency (DLSA) charter with functions, responsibilities, relationships, and authorities as outlined below.

B. DEFINITION

DoD Components. The Office of the Secretary of Defense (OSD), the Military Departments, the Joint Chiefs of Staff (JCS), the Joint Staff, the Unified - and Specified Commands, the Inspector General of the Department of Defense (IG, DoD), the Defense Agencies, and the DoD Field Activities.

C. ORGANIZATION AND MANAGEMENT

1. The DLSA is established as a separate agency of the Department of Defense under the direction, authority, and control of the General Counsel of the Department of Defense (GC, DoD). It shall consist of a Director and such subordinate organizational elements as are established by the Director within resources assigned by the Secretary of Defense. It shall include the legal staffs assigned to the Defense Agencies and DoD Field Activities.

2. Budgeting, management of ceiling spaces, personnel services, and other administrative support for DLSA personnel shall be the responsibility of the Defense Agency or Field Activity to which those personnel are assigned.

3. The GC, DoD, shall serve as the Director, DLSA.

D. FUNCTIONS AND RESPONSIBILITIES

The Director, Defense Legal Services Agency (DLSA), shall:

1. Organize, direct, and manage the DLSA and all resources assigned to the DLSA .

2. Provide legal advice and services for the Defense Agencies, DoD Field Activities, and other assigned organizations.

3. Provide technical support and assistance for development of the DoD Legislative Program.

4. Coordinate DoD positions on legislation and Presidential Executive orders.

5. Provide a centralized legislative document reference and distribution point for the Department of Defense, and maintain the Department's historical legislative files.

6. Develop DoD policy for standards of conduct and administer the Standards of Conduct Program for the OSD and other assigned organizations.

7. Administer the Defense Industrial Security Clearance Review Program.

8. Perform such other duties as the Secretary or Deputy Secretary of Defense may prescribe.

E. RELATIONSHIPS

1. In performance of assigned responsibilities and functions, the Director, DLSA, shall:

a. Coordinate actions and exchange information with other DoD organizations having collateral or related functions.

b. Promote coordination, cooperation, and mutual understanding of matters pertaining to assigned functions within the Department of Defense and between the Department of Defense, other Government Agencies, and the public.

c. Serve on boards, committees, and other groups concerned with matters pertaining to assigned functions, and represent the Secretary of Defense on assigned functions outside the Department of Defense.

d. Use existing facilities and services, whenever practicable, to achieve maximum efficiency and economy.

e. Provide professional supervision for DLSA attorneys serving in Defense Agencies, DoD Field Activities, and other organizations to which such attorneys are assigned. This includes, in consultation with the DoD Component head concerned, evaluation of their performance and/or other action that may be necessary based on professional performance. .

2. All DoD Components shall coordinate with the Director, DLSA, on matters related to the functions in section D. , above.

F. AUTHORITIES

The Director, DLSA, is-delegated authority to:

1. Obtain reports, information, advice,. and assistance from other DoD Components, consistent with DoD Directive 7750.5 (reference (c)), to carry out assigned functions and responsibilities, as necessary.

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2. Communicate directly with the heads of the DoD Components. Communications to the Commanders of Unified and Specified Commands shall be coordinated through the Chairman, Joint Chiefs of Staff (CJCS).

3. Communicate with other Government Agencies, representatives of the legislative branch, and members of the public, as appropriate, in carrying out assigned functions.

G. EFFECTIVE DATE

This Directive is effective immediately.



D. J. ATWOOD

Deputy Secretary of Defense

Enclosure
Delegations of Authority

DELEGATIONS OF AUTHORITY

- - Pursuant to the authority vested in the Secretary of Defense, and subject to his direction, authority, and control, and in accordance with DoD policies, Directives, and Instructions, the Director, DLSA, or, in the absence of the Director, the person acting for the Director is hereby delegated authority, as required in the administration and operation of DLSA, to:

1. In accordance with 5 U.S.C. §7532, Executive Order 10450, as amended, and DoD Directive 5200.2:

a. Designate positions as "sensitive";

b. Authorize, in case of an emergency, the appointment to a sensitive position, for a limited period of time, of a person for whom a full field investigation or other appropriate investigation, including the National Agency Check, has not been completed; and

c. Authorize the suspension, but not terminate the service, of an employee in the interest of national security.

2. Authorize and approve overtime work for civilian officers and employees in accordance with subchapter V, chapter 55, Title 5, U.S. Code, and applicable Civil Service Regulations.

3. Develop, establish, and maintain an active and continuing Records Management Program, pursuant to 44 U.S.C. §3102.

4. Authorize the publication of advertisements, notices, or proposals in newspapers, magazines, or other public periodicals, consistent with 44 U.S.C. §3702.

5. Comply with the policies and procedures prescribed in DoD 5025.1-M.